

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HA-RAKHAMON AZIZI,)	NO. CV 10-2108-CAS(E)
)	
Plaintiff,)	
)	
v.)	ORDER DISMISSING ACTION
)	
AMERICAN GOVERNMENT, et al.,)	FOR LACK OF SUBJECT MATTER
)	
Defendants.)	JURISDICTION
)	
_____)	

On March 23, 2010, Plaintiff, proceeding pro se, paid the filing fee and filed an untitled Complaint against "American Government," Henry Waxman, "Dept. of Justice and Education," and "L.A. and Beverly Hills Police Dept." This Complaint, like Plaintiff's Complaint previously dismissed by the Court sua sponte in Azizi v. American Government et al., No. CV 09-6677-CAS(CT), is large incomprehensible and wholly insubstantial.

The present Complaint vaguely charges "murder(s) and adultery as including homosexuality and idolatry . . . and improper dictatorial act(s) such as lack of proper religion among other lack(s) of

1 constitutional right(s)." Plaintiff seeks non-monetary damages,
 2 including "the return of Jewish religious articles . . . to stores and
 3 real synagogues [sic]," the delivery to Plaintiff on or before
 4 April 26, 2010 of "a proper crown of my Jewish faith," and "a
 5 restraining order for the two Christian fellow as charged with murders
 6 along their employee [sic] of any firm that they have." Plaintiff
 7 also seeks millions of dollars in monetary damages for himself and
 8 others, including "the oriental lady."

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 10 "A paid complaint that is 'obviously frivolous' does not confer
 11 subject matter jurisdiction [citation]" Franklin v. Murphy,
 12 745 F.2d 1221, 1227 n.6 (9th Cir. 1984) (citing Hagans v. Lavine, 415
 13 U.S. 528, 536-37 (1974)); see also Neitzke v. Williams, 490 U.S. 319,
 14 327 n.6 (1989); Bell v. Hood, 327 U.S. 678, 681-82 (1946); Franklin v.
 15 Oregon Welfare Div., 662 F.2d 1337, 1342-43 (9th Cir. 1981); O'Brien
 16 v. United States Dep't of Justice, 927 F. Supp. 382, 384 (D. Ariz.
 17 1995), aff'd, 76 F.3d 387, 1996 WL 29294 (9th Cir. 1996). Dismissal
 18 for lack of subject matter jurisdiction is proper when the federal
 19 claim is "so insubstantial, implausible, foreclosed by prior decisions
 20 of this Court, or otherwise completely devoid of merit as not to
 21 involve a federal controversy." Steel Co. v. Citizens for a Better
 22 Env't, 523 U.S. 83, 89 (1998) (citations and internal quotations
 23 omitted). Dismissal for lack of subject matter jurisdiction may occur
 24 sua sponte. Fiedler v. Clark, 714 F.2d 77, 78 (9th Cir. 1983).

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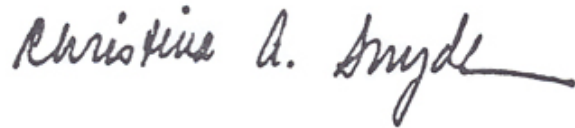
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1 The manifest insubstantiality of the present Complaint deprives
2 this Court of subject matter jurisdiction. This jurisdictional defect
3 could not be cured by amendment. Therefore, IT IS ORDERED that the
4 reference to the Magistrate Judge is vacated, and this action is
5 dismissed with prejudice.

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7 LET JUDGMENT BE ENTERED ACCORDINGLY.

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9 DATED: March 31, 2010.

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CHRISTINA A. SNYDER
14 UNITED STATES DISTRICT JUDGE
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